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Honorable Timothy W. Dore
Chapter 7
Ex Parte

8 UNITED STATES BANKRUPTCY COURT
9 WESTERN DISTRICT OF WASHINGTON
10 AT SEATTLE

11 In re:

12 WIRELESS ADVOCATES, LLC

13 Debtor.

Bankr. Case No. 23-10117-TWD

DECLARATION OF MICHAEL GEARIN
IN SUPPORT OF *EX PARTE*
APPLICATION FOR ORDER
AUTHORIZING EMPLOYMENT OF
K&L GATES LLP AS ATTORNEYS
FOR TRUSTEE

14 I, Michael J. Gearin, hereby declare as follows:

15 1. I am a partner in the law firm of K&L Gates LLP ("K&L Gates") and am duly
16 authorized to practice law in this Court. I submit this declaration in support of the application to
17 employ K&L Gates as counsel for Virginia Burdette, the duly appointed Chapter 7 Trustee.

18 2. The chapter 7 Trustee Virginia Burdette has asked K&L Gates to represent her in this
19 case. K&L Gates and its partners and associates are not creditors, equity security holders or insiders
20 of the Debtors. K&L Gates has not taken a security interest in any assets of the bankruptcy estate to
21 secure fees and no retainer has been provided to the firm or promised by the Debtor or the estate. K&L
22 Gates expects to be paid from the assets of the bankruptcy estate and is not relying on any third party
23 contributions or guarantees. K&L Gates does not represent any other party in connection with this
24 case. To my knowledge, K&L Gates does not have an interest materially adverse to the interests of
25
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GEARIN DECLARATION ISO *EX PARTE* APPLICATION FOR
ORDER AUTHORIZING EMPLOYMENT OF K&L GATES LLP
AS ATTORNEYS FOR TRUSTEE - 1

K&L GATES, LLP
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1 the estate or of any class of creditors or equity security holders.

2 3. I have reviewed the List of Creditors filed by the receiver (Dkt. 94). The List of
3 Creditors is 258 pages and contains over 2,000 creditors.

4 4. I have caused a review of the firms' computerized conflicts database to be conducted
5 for relationships between the firm and the Debtor and certain creditors and parties in interest. Based
6 on my review of the computerized conflicts data on file at K&L Gates, and to the best of my
7 knowledge, K&L Gates does not represent and has not represented the Debtor.

8 5. In addition, our firm reviewed the firm's relationships for the past two years for past
9 and current representations or adversities, if any, with:

- 10 a. The Debtor's principal Mr. Dan Brettler;
 - 11 b. The Receiver: The Stapleton Group, Inc.;
 - 12 c. Entities adverse to the Debtor in litigation: The Wynne Law Firm, Dallas Clark,
13 Julia Collazo, Jason Karroll, and Tylt, Inc.;
 - 14 d. Wireless carriers: AT&T Mobility, LLC, AT&T Inc., T Mobile US, Inc., Cellco
15 Partnership d/b/a Verizon Wireless;
 - 16 e. Creditor, Costco Wholesale Corporation;
 - 17 f. The Debtors affiliate, Car Toys, Inc.;
 - 18 g. Landlord: Pembroke Real Estate, Inc., 255 Tate Street Boston MA;
 - 19 h. Subtenant: Chinook Therapeutics, 400 Fairview Ave. North Ste 900, Seattle, WA
20 98109;
 - 21 i. Finance lease holders: Cisco Systems Corporation, Xerox Financial Services LLC,
22 and U.S. Bank Equipment Finance;
 - 23 j. Unsecured creditors listed in Schedule A-5 to the receivership petition; and
 - 24 k. Tax authorities with the 20 largest tax claims against the Debtor as disclosed in the
25 receivership petition.
- 26

6. Our computerized conflict search of the persons and entities listed above revealed that K&L Gates has active representations of the following entities (or such entities' affiliates) on matters unrelated to this bankruptcy case: Amazon Web Services, Inc., Airplus International, CDW Direct LLC, Cellco Partnership dba Verizon Wireless, Cisco Systems Corporation, Commerce Technologies, Inc. dba Commerce Hub, Costco Wholesale Corporation, Fedex Office, IBM, Kaiser Foundation Health Plan, Microsoft Corporation, Milliman, Inc. , Mobility Modular Portable Storage, the ultimate parent entity of the landlord Pembroke Real Estate Inc., FMR/Fidelity Investments, T-Mobile US, Inc., United Parcel Service and US Bank Equipment Finance. I have notified the Trustee that unless we obtain written conflict waivers, we will not represent her on matters directly adverse to the foregoing entities and that she will have to obtain conflicts counsel should she need counsel with respect to issues which are directly adverse to those parties. Within the past two years, K&L Gates represented the following parties on matters unrelated to the bankruptcy case: Iron Mountain and Navia Benefit Solutions. K&L Gates represents multiple parties with adverse interests to creditors and parties in interest to the bankruptcy case. K&L Gates does not, to the best of my knowledge, have a relationship with the United States Trustee, or any person employed in the office of the United States Trustee.

7. To the extent that I become aware of any relationships between K&L Gates and creditors or parties in interest to the case affecting K&L Gates' disinterestedness, I will provide a supplemental declaration to the Court.

8. I have reviewed and am familiar with Local Bankruptcy Rule 2016-1 in compliance with Local Bankruptcy Rule 2014.

9. The following individuals are likely to render the majority of legal services to the Trustee:

<u>Professional</u>	<u>Current Hourly Rate</u>
Michael Gearin	\$690.00
Brian Peterson	\$570.00
Ruby Nagamine	\$530.00
Denise Lentz, Paralegal	\$315.00

10. Other attorneys and professionals will provide services to the estate at hourly rates ranging from \$75 to \$1340 per hour. K&L Gates rates are subject to periodic adjustments to reflect economic and other conditions, including increases in experience and expertise of members of the firm. My offices served copies of the application for employment, proposed order and this declaration to the U.S. Trustee's office in compliance with LBR 2014-1(b). The U.S. Trustee's office has consented to the submission of the application in advance of the 7 day notice period provided by that rule or the 7 day notice period has expired without objection by the offices of the U.S. Trustee.

I declare under penalty of perjury that the foregoing is true and correct.

EXECUTED this 6th day of March, 2023, at Seattle, Washington.

K&L GATES LLP

/s/ Michael J. Gearin
Michael J. Gearin